

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

ROBBIE MOWBRAY,
Plaintiff,

vs.

MICHAEL J. ASTRUE, Commissioner
of Social Security,

Defendant.

Civil Action 2:07-CV-1245
Judge Holschuh
Magistrate Judge King

ORDER

On January 26, 2009, the United States Magistrate Judge issued a *Report and Recommendation* recommending that the decision of the Commissioner be reversed and this action be remanded to the Commissioner for further consideration of Dr. Mysiw's January 2006 opinion. The parties were specifically advised of their right to object to the *Report and Recommendation* and of the consequences of their failure to do so. There has nevertheless been no objection to the *Report and Recommendation*.

The *Report and Recommendation* is hereby **ADOPTED** and **AFFIRMED**. The decision of the Commissioner is **REVERSED** pursuant to Sentence 4 of 42 U.S.C. §405(g) and this matter is hereby **REMANDED** for reconsideration Dr. Mysiw's January 2006 opinion.

The Clerk shall enter **FINAL JUDGMENT** in this case.

Date: February 17, 2009

/s/ John D. Holschuh

John D. Holschuh, Judge
United States District Court